

Panaji, 14th February, 2019 (Magha 25,1940)

SERIES II No. 46



OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are two Extraordinary issues to the Official Gazette, Series II No. 45 dated 07-02-2019 as follows:—

- (1) Extraordinary dated 07-02-2019 from pages 859 to 860 regarding Order from Department of Finance.
- (2) Extraordinary (No. 2) dated 08-02-2019 from pages 861 to 862 regarding Notification from Goa Legislature Secretariat.

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 2/25/2018-19/D.Agro (Part)/342

The Goa Public Service Commission has concurred the decision of the Government vide their letter No. COM/II/12/2(3)/2018/310 dated 09-01-2019, to extend the probation period of Smt. Shruti S. Dhupkar, Farm Manager, Group 'B' Gazetted Officer of this Directorate in the pay band of PB-II Rs. 9,300-34,800+4,200/- Grade Pay (Level-6 of the Pay Matrix) by the length of long leaves availed by her as detailed below:

Sr. No.	Name of the officer	Date of joining in regular service as Farm Manager	Date of actual completion of probation period	No. of long leaves availed	Date of extension of probation period
1.	Smt. Shruti S. Dhupkar	27-06-2016	26-06-2018	Maternity Leave for 180 days & Child Care Leave for 90 days (180+90=270 days)	27-06-2018 to 23-03-2019.

By order and in the name of the Governor of Goa.

Madhav B. Kelkar, Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 12th February, 2019.



Department of Civil Supplies & Consumer Affairs

Order

No. DCS/EST/Appt. PIO/TALUKA/2018-19/442

In exercise of powers conferred under Section 5 of Right to Information Act, 2005 the Government of Goa is pleased to designate following Officials as Public Information Officer, Asst. Public Information Officer & First Appellate Authority at Taluka Level, with immediate effect.

Sr. No.	Name of Office	Name of Public Information Officer	Name of Assistant Public Information Officer	First Appellate Authority
1	2	3	4	5
1.	Civil Supplies Office Tiswadi Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Tiswadi Taluka.

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1	2	3	4	5
2.	Civil Supplies Office Bardez Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-III/Controlling Officer Bardez Taluka.
3.	Civil Supplies Office Pernem Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Pernem Taluka.
4.	Civil Supplies Office Bicholim Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Bicholim Taluka.
5.	Civil Supplies Office Satari Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Satari Taluka.
6.	Civil Supplies Office Dharbandora Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Dharbandora Taluka.
7.	Civil Supplies Office Ponda Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Ponda Taluka.
8.	Civil Supplies Office Salcete Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Salcete Taluka.
9.	Civil Supplies Office Sanguem Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Sanguem Taluka
10.	Civil Supplies Office Quepem Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Quepem Taluka.
11.	Civil Supplies Office Mormugao Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Mormugao Taluka.
12.	Civil Supplies Office Canacona Taluka	Inspector Incharge (CS)	Sub-Inspector (Consumer Affairs Cell)	Jt. Mamlatdar-I/Controlling Officer Canacona Taluka.

This issues with the approval of the Government.

By order and in the name of the Governor of Goa.

Sandhya Kamat, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 31st January, 2019.



Department of Co-operation

Office of the Registrar of Co-operative Societies

Order

No. 1-3-71/EST/RCS(Part) Vol. II/4360

On the recommendations of the Departmental Promotion Committee conveyed by the Goa Public Service Commission, Panaji vide letter No. COM/II/11/11(1)/2012/367 dated 28-01-2019, Government is pleased to promote Shri Sanjay S. Khajankar (ST) to the post of Assistant Registrar of

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Co-operative Societies, Group "B" (Gazetted) in the establishment of the Registrar of Co-operative Societies in the pay of Rs. 44,900—Rs. 1,42,400/- (Pay Matrix Level 7) on regular basis with immediate effect. He shall be posted as Assistant Registrar of Co-operative Societies, Marketing, Panaji.

By order and in the name of the Governor of Goa.

Menino D'Souza, Registrar & ex officio Addl. Secretary (Co-op. Societies).

Panaji, 6th February, 2019.



Department of General Administration

Notification

No. 25/4/95-GA&C/529

As a mark of respect to the departed soul of Shri Francis D'Souza, former Deputy Chief Minister of the State of Goa who passed away today (14-02-2019), all the State Government offices, Local/ /Autonomous bodies, Public Sector Undertakings, all Educational Institutions including the Aided Institutions shall remain closed on 15-02-2019.

By order and in the name of the Governor of Goa.

Manuel Barreto, Under Secretary (GA-II).

Porvorim, 14th February, 2019.

Notification

No. 25/4/95-GA&C/530

Government of Goa expresses profound sorrow on the sad demise of Shri Francis D'Souza, former Deputy Chief Minister of the State of Goa on 14-02-2019.

As a mark of respect to the departed dignitary, three days State Mourning will be observed throughout the State of Goa from 15-02-2019 to 17-02-2019, both days inclusive.

During the period of State Mourning, the National Flag will fly at Half Mast on all the buildings throughout the State of Goa where it is regularly flown and there will be no official entertainment.

By order and in the name of the Governor of Goa.

Manuel Barreto, Under Secretary (GA-II).

Porvorim, 14th February, 2019.

Department of Home

Home—General Division

Order

No. 2/44/2013-HD(G)/403

In exercise of the powers conferred by Clause (e) of sub-section (2) of Section 3 of the Foreigners Act, 1946 (31 of 1946), read with the G.S.R. 529(E) of the Foreigners' Division, Section-I, Ministry of Home Affairs, Government of India, New Delhi, and published in the Gazette of India, Extraordinary dated 03-05-1988, the Government of Goa hereby requires the illegal immigrants/foreign nationals awaiting deportation to reside in the Detention Centre at Old Judicial Lock-up at Mapusa next to the Mapusa Police Station.

This order shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 7th February, 2019.

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Department of Labour

Notification

No. 28/2/2019-LAB/116

The following award passed by the Labour Court-II, at Panaji-Goa on 21-01-2019 in Case No. Ref. C-IT/29/2015 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 5th February, 2019.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. C-IT/29/2015

Shri Dayanand Kambli,
Rep. by the General Secretary,
Kadamba Kamgar Union,
BG-10, Gr. Floor,
Casa Immaculade,
Jose Falcao Road,
Near Panjim Church,
Panaji-Goa. ... Complainant/Party I

V/s

M/s. Kadamba Transport
Corporation Ltd.,
Paraise de Goa,
Alto-Porvorim, Goa. ... Employer/Party II

Complainant/Party-I represented by Adv. Shri A. Kundaikar.

Employer/Party-II represented by Adv. Shri P. Agarwal.

Panaji, dated: 21-01-2019

AWARD

1. This award shall disposed off the complaint dated 07-08-2015 filed by the Complainant u/s 33-A of the I.D. Act, 1947.

2. It is the case of the Complainant in short that he joined the services of the Employer/Party II (for short, the Employer) as 'Heavy Vehicle driver' on daily wages basis w.e.f. 02-05-1994. He stated that he was appointed on probation w.e.f. 01-03-1995 in the pay scale of Rs. 3050-75-3950-80-4590. He stated that he raised a dispute in respect of withholding of two annual increments with cumulative effect for the year 1998 and 1999. He stated that the said dispute was settled in terms of settlement and an award dated 09-05-2013 was drawn thereof. He stated that he was not released with consequential benefits in accordance with the award. He stated that he therefore raised a dispute before the Assstt. Labour Commissioner (ALC), pertaining to the anomaly in pay fixation, which ended in failure. He stated that his dispute was referred to the Industrial Tribunal in exercise of the powers conferred u/s 10 (1) (d) of the I.D. Act, for adjudication which is pending before the Labour Court II and bears registration No. LC-II/IT/07/14.

3. He stated that the Employer was pleased to implement the Modified Assured Career Progression Scheme (MACPS) w.e.f. 01-09-2008 as per the board resolution No. 110/11. He stated that the order dated 18-03-1998 for stoppage of two annual increments without cumulative effect for the year 1998 and 1999 is revoked with prospective effect and as such he was entitled for financial up-gradation under the MACPS which is presently effective in the Employer Corporation. He stated that the Employer filed its reply dated 26-11-2013 before the ALC and averred at para 6 that the punishment of stoppage of increments of 1998 and 1999 has been revoked with prospective effect i.e. from 09-05-2013 and accordingly, he is eligible for financial up-gradation under the MACP Scheme which is presently effective with the corporation. He submitted that the Employer had filed an application for amendment dated 25-02-2015 to the written statement. He stated that Employer had filed an application for withdrawal of its amendment application vide its application dated 02-07-2015. He stated that the said application for withdrawal of amendment was allowed by the Labour Court II and consequently the said application for amendment was dismissed by the Labour Court II. He submitted that this clearly shows that the Employer has made misleading averments in its written statement filed before the Industrial Tribunal in case No. C-IT/07/2015 pending before the Industrial Tribunal.

4. He stated that by order dated 10-06-2013, the Employer was pleased to fix his pay in the revised pay band and grade pay in the pay of Rs. 5200-20200+Rs.1900/- grade pay w.e.f. 01-01-2006. He stated that he has completed 20 years of service in the same post on 01-03-2015 and was therefore entitled for second up gradation under the MACPS. He stated that the Employer has however, by order dated 15-07-2015 on recommendation of the departmental screening committee, pleased to grant first up gradation in service in the pay band of Rs. 5200/- and grade pay of Rs. 2000/- and basic pay was fixed at Rs. 9670/- plus Rs. 2000/- grade pay w.e.f. 09-05-2013. He submitted that the said order is illegal. He stated that in fact he was entitled for grade pay of Rs. 2800/- on completion of 20 years of service. He stated that the MACPS provides for three financial up gradation at three intervals of 10-20-30 years of service. He stated that if the Complainant continues in the same grade without any promotion than he is eligible for second up gradation for MACP in PB-I in the grade pay of Rs. 2800/-. He submitted that despite completion of 20 years of service, he was not made

eligible for second up gradation. He therefore, prayed that the complaint be allowed and this Hon'ble Tribunal be pleased to hold that he is entitled for second up gradation on completion of 20 years of service in the same post in consonance with the MACPS and the Employer be directed to release the consequential benefits under the MACPS as applicable in the Employer Corporation.

5. The Employer resisted the complaint by filing its written statement on 24-06-2016 at Exb. 4. The Employer submitted that the Complainant has not only suppressed the material facts from this Hon'ble Tribunal but also has made misleading statements. The Employer, as and by way of its preliminary objections submitted that the complaint is liable to be dismissed as there is no alterations of service conditions as alleged by the Complainant, that what is referred for adjudication is not a complaint as defined u/s 33-A of the I.D. Act, that since the present complaint is filed u/s 33-A for the alleged alteration of service conditions during the pendency of industrial dispute bearing No. LC-II/IT/07/14 before the Hon'ble Labour Court II and therefore this Hon'ble Court lacks jurisdiction to adjudicate the complaint as per provisions of Section 33-A (b).

6. The Employer stated that it is a Government Company registered under Section 617 of the Companies Act, 1956. The Employer stated that it is a State transport undertaking under the purview of the Motor Transport Act, 1988. The Employer admitted that the Complainant is working as 'driver'. The Opponent submitted that its employees are not the employees of Government of Goa, it being a separate legal entity. The Opponent submitted that the service benefits being granted by the Government of Goa to its employees do not become automatically applicable to its employees. The Opponent submitted that its employees are governed by its Certified Standing Orders. The Opponent submitted that the service conditions of its employees are specified in the said Certified Standing Orders and the memorandum of settlement drawn between themselves and its workmen from time to time. The Opponent submitted that any benefit, which are required to be extended to its employees, the same are required to be extended to its employees by resolution of its Board of Directors. The Opponent submitted that the Complainant represented by the union raised dispute before the conciliation authority demanding the implementation of the recommendation of the sixth central pay commission as made applicable to the employees of Government of Goa. The Opponent stated that

the dispute was taken into conciliation and an amicable settlement was arrived between both the parties and a memorandum of settlement dated 30-04-2010 was signed u/s 12 (3) r/w Sec. 18 (3) of the I.D. Act, 1947. The Opponent stated that in accordance with the office memorandum dated 15-05-2012, which is also a part of the recommendations of sixth central pay commission, they had placed the proposal before its Board of Directors seeking approval for applying the benefits of the said office memorandum to the eligible workmen. The Opponent stated that its Board of Directors was pleased to approve in principle the proposal, vide resolution No. 82/2012 subject to its clarification from the Government and thereafter the pay of the Complainant including other eligible workmen were revised vide order dated 10-06-2013 in accordance with the O.M. dated 15-05-2012. The Opponent stated that the sixth pay commission in para 6:1:15 of its report had recommended MACP scheme. The Opponent submitted that as per resolution No. 110/11 passed by its Board of Directors during its 176th meeting, MACP scheme was adopted to its eligible employees who have completed 10/20/30 years of regular service. The Opponent stated that vide resolution No. 110/11 and circular dated 27-11-2012, the MACP scheme was applied to its employees w.e.f. 01-08-2009 notionally and monetary benefits w.e.f. 01-01-2012. The Opponent stated that on recommendation of the departmental promotional committee its eligible employees were extended the benefits of the MACPS. The Opponent stated that as per the MACPS issued by the Government, it is stated that at para 15 of the said scheme that for an employee if the financial up gradation under MACPS is deferred and not allowed after 10 years in a grade pay, due to the reasons of the employee being unfit or due to the departmental proceedings etc. This would have consequential effect on the subsequent financial up gradation, which would also differ to the extent of delay in the first financial up gradation.

7. The Opponent stated that by way of disciplinary action for the misconduct committed by the Complainant, an order dated 18-03-1999 was issued by them imposing penalty for the stoppage of two annual increments with cumulative effect for the year 1998 and 1999. The Opponent admitted that the dispute raised by the Complainant came up for hearing before the Industrial Tribunal and bears case No. IT/37/2012. The Opponent admitted that the said dispute was settled between the parties hereinabove before the Hon'ble Industrial

Tribunal and the said order dated 18-03-1998 imposing penalty for the stoppage of two annual increments with cumulative effect for the year 1998 and 1999 have been revoked prospectively i.e. from the date of filing the consent terms in the said matter. The Opponent therefore submitted that the Complainant is therefore not entitled to any relief as claimed for in his complaint. The Opponent denied the overall case as pleaded by the Complainant and prayed for dismissal of the complaint filed by the complainant.

8. Thereafter, the Complainant filed his re-joinder on 27-07-2016 at Exb. 5. The Complainant, by way of his re-joinder confirms and reiterates all his submissions, averments and statements made in his Claim Statement to be true and correct and denied all the statements, averments and submissions made by the Employer in its Written Statement, which are contrary to his statement and averments made in his Claim Statement.

9. Based on the pleadings filed by the respective parties' hereinabove, the Hon'ble Industrial Tribunal-cum-Labour Court framed the following issues on 18-08-2016 at Exb. 7.

1. Whether the Party I proves that the Party II has altered the service conditions of Party I during the pendency of industrial dispute before the Labour Court II?
2. Whether the Party I proves that he is entitled for IIInd up gradation on completion of 20 years of service in the same post in consonance with the MACP Scheme?
3. What Relief? What Award?

10. My answers to the aforesaid issues are as under:

- (a) Issue No. 1 : In the negative.
- (b) Issue No. 2 : In the negative.
- (c) Issue No. 3 : As per final order.

I have heard the oral arguments of Ld. Adv. Shri A. Kundaikar appearing for the Complainant as well as Ld. Adv. Shri P. Agarwal appearing for the Employer. I have carefully perused the entire records and proceedings of the present case. I have also carefully considered the oral submissions made by the Ld. Advocates appearing for the respective parties and is of the considered opinion as under:

11. *Issue No. 1:*

By the present complaint, the complainant claims to be in violation of Section 33-A of the

I.D. Act, 1947 by the Employer by issuing the said order dated 15-07-2015 thereby granting him first up-gradation under the MACP Scheme. The pre-condition for the grant of the Section 33-A of the said Act is that the Complainant shall prove that the Employer has Contravened Section 33 of the said Act. Section 33 (1) of the said Act states that during the pendency of any conciliation proceedings before the Conciliation Officer or a board of any proceedings before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

- (a) In regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings or
- (b) For any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute,

Save with the express permission in writing of the authority before which the proceeding is pending.

12. In the case of **Stanley Mendex v/s. Glovanola Binny Ltd. and Ors.**, reported in (1968) II LLJ 470, the Hon'ble High Court of Kerala in para 5 of its judgment has held as under:

"5. In a complaint made to the tribunal under Section 33A, the primary question that falls to be considered by tribunal is whether there has been a contravention by the employer of the provisions of Section 33 of the Act, and it is only in case it is found that there has, in fact, been such contravention that occasion arises for the tribunal to embark upon a further adjudication of the complaint on its merits; in other words, the tribunal has to be satisfied initially that there has, in fact, been a contravention by the employer of the provisions of Section 33 by effecting during the pendency of other proceedings before it, an alteration to the prejudice of the Complainant concerned, of the conditions of his service which were applicable to him immediately before the commencement of such proceedings".

13. The principle laid down by the Hon'ble High Court of Kerala is well established and also applicable to the case in hand. Applying the law laid down by the Hon'ble High Court of Kerala, in the case in hand, the reference bearing No. LC-II/

/IT/07/14 was pending before this Labour Court II for its adjudication, the Employer passed an order dated 15-07-2015 by which the complainant was granted the first up-gradation under the MACP Scheme and his pay was fixed at Rs. 5200-20200+ Rs. 2000/- grade pay and his pay scale was fixed at Rs. 9670/- plus Rs. 2000/- grade pay w.e.f. 09-05-2013. The said order granting the first financial up-gradation to the complainant is beneficial to him and cannot be said to be prejudicial or alters his conditions of service. The Complainant has also failed to explain as to how the said order dated 15-07-2015 granting him first up gradation is prejudicial to him. Even otherwise, the complainant has not accepted the said order dated 15-07-2015 under protest. In the circumstances, the order dated 15-07-2015 granting first financial up-gradation to the complainant cannot be said to be prejudicial altering his conditions of service and as such the Employer cannot be said to be contravened Section 33 of the said Act, which is the mandatory requirement of Section 33-A of the I.D. Act, 1947. In view of above, it is held that the complainant failed to prove that the Employer has contravened the provisions of Section 33 of the I.D. Act, 1947, pending a reference bearing No. LC-II/IT/07/14 before this Labour Court II. Hence, it is held that the Complainant failed to prove that the Employer has altered the service conditions to the prejudice of the Complainant concerned in such dispute, so as to file the complaint u/s 33-A of the I.D. Act, 1947. The complaint filed by the complainant shall therefore be dismissed. The issue No. 1 is therefore answered in the negative.

14. Issue No. 2.

While deciding the issue No. 1 hereinabove, I have discussed and come to the conclusion that the Complainant failed to prove that the Employer has altered the service conditions to the prejudice of the Complainant in such dispute so as to file the complaint u/s 33-A of the I.D. Act, 1947. In view of above, the question as to "Whether the Party I proves that he is entitled for IInd up gradation on completion of 20 years of service in the same post in consonance with the MACP Scheme", does not arise. Even otherwise, this court vide its award dated 08-10-2018 passed in its case No. LC-II/IT/07/14 already held that the Complainant was not entitled for the second up-gradation in consonance with the MACPS. The issue No. 2 is therefore answered in the negative.

In view of the above, I proceed to pass the following order.

ORDER

The complaint filed by the complainant is hereby dismissed. The Complainant is not entitled to any relief.

No Order as to Cost

Inform the Government accordingly.

Sd/-

(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.

Notification

No. 28/2/2019-LAB/Part-I/121

The following Judgment passed by the Labour Court-II, at Panaji-Goa, on 17-01-2019 in Case No. LC-II/LCC/08/2018 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).
Porvorim, 7th February, 2019.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. LC-II/LCC/08/2018

Shri Sudhir Babu,
R/o. Flat No. F2, Bldg. No. C-2,
Primos Park,
Corlim, Bardez-Goa. ... Applicant
V/s

M/s. Accord Furnishing Pvt. Ltd.,
38/2/4, Site IV,
Sahibabad Industrial Area,
Gaziabad-201010. ... Opponent

Workman/Party-I present in person.
Opponent absent, marked as Ex-parte.

Panaji, Dated: 17-01-2019.

JUDGMENT

1. This judgment shall determine the claim application of the Applicant dated 12-04-2018 filed u/s 33-C (2) of the I.D. Act, 1947.

2. By the present claim application, the Applicant claimed an amount of Rs. 35000/- (Rupees Thirty five thousand only) towards his salary for the month of November, 2017 along with T.A./D.A.

3. A notice was issued to the Opponent by registered post A/D, returned back with an endorsement "intimated". However, none present for the Opponent on 20-08-2018. The Opponent was however, duly served by email by the Applicant. This court after giving ample opportunities to the Opponent, marked an ex-parte order against them and an ex-parte proceedings were conducted.

4. This court framed the following issues on 23-10-2018 at Exb. 5.

1. Whether the Applicant proves that he is entitled to receive from the Opponent a sum of Rs. 35000/- (Rupees Thirty five thousand only) towards his earned wages?

2. What Order.

5. My answers to the aforesaid issues are as under:

- (a) Issue No. 1 : In the affirmative.
- (b) Issue No. 2 : As per final order.

REASONS

6. Issue No. 1:

In order to prove issue No. 1, the Applicant has examined himself and produced on record certain documentary evidence in support of his oral evidence. The evidence on record indicates that the Applicant was in the employment of the Opponent for the period from 01-08-2017 till 30-11-2017 as 'Area Sales Manager'. He was drawing a salary of Rs. 28,000/- per month in addition to T.A./D.A. of Rs. 7000/-. The evidence on record indicates that he resigned from service of the Opponent at the end of November, 2017. The evidence on record indicates that the Applicant was not paid his earned wages for the month of November, 2017 as also T.A./D.A. of the said month. The evidence on record also indicates that the Applicant was issued a cheque of Rs. 22,400/- which was dishonoured on account of insufficient funds.

7. Hence, it is held that the Applicant proved that an amount of Rs. 35000/- (Rupees Thirty five thousand only) is due and payable to him from the Opponent towards his earned wages for the month of November, 2017 including T.A./D.A. of the said month. Thus, the Applicant was entitled to receive from the Opponent, the said amount of Rs. 35000/- in the first week of December, 2017. The Applicant

is therefore entitled for a simple interest @10% p.a. on the said amount of Rs. 35,000/- from the date of its maturity till its actual realization. The issue No. 1 is therefore answered in the affirmative.

In view of above and with regards to the facts and circumstances of the case, I pass the following order:

ORDER

1. The claim application of the Applicant dated 12-04-2018 is hereby allowed. Consequently, it is held that the Opponent, M/s. Accord Furnishing Pvt. Ltd., is hereby directed to pay to the Applicant, Shri Sudhir Babu a sum of Rs. 35000/- (Rupees Thirty five thousand only) along with simple interest @10% p.a. from the date of its maturity till its actual realization.

2. No order as to cost.

Pronounced in the Open Court.

Sd/-
(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.



Department of Personnel

Order

No. 3/1/80-PER-Vol IV/401

The Governor of Goa is pleased to allot the charges as mentioned in the Column 3 of the table hereinbelow to the Officers as mentioned in Column 2 until further Orders, with immediate effect, in public interest:-

Sr. No.	Name	Additional charge allotted
1	2	3
1.	Shri Parmaditya, IPS, DIGP (Crime and Range)	SP Crime, ATS, EOC.
2.	Shri Utkrisht Prasoon, IPS, SP (Training)	SP Anti Corruption Branch.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-II).

Porvorim, 1st February, 2019.

OFFICIAL GAZETTE — GOVT. OF GOA

SERIES II No. 46

14TH FEBRUARY, 2019

Order

No. 24/2/2016-PER/422

On the recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide its letter Ref. No. COM/II/11/58(1)/2017/348 dated 21-01-2019, the Governor of Goa is pleased to promote Smt. Pooja D. Phadte, Under Secretary (Drafting) to the post of Joint Secretary (Law) in the Law Department (Legal Affairs) (Group "A" Gazetted) on regular basis in the pay scale of Level-11 of the pay matrix with immediate effect.

The officer shall exercise the option for fixation of pay within one month from the date of this Order in terms of F.R. 22 (I) (a) (1).

The pay of officer on promotion shall be fixed as per C.C.S. (RP) Rules, 2016.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-II).

Porvorim, 4th February, 2019.

Order

No. 7/5/2016-PER/458

Read: Order No. 7/21/2017-PER/2093 dated 02-07-2018.

Government is pleased to designate Shri Daulat Hawaldar, IAS (AGMUT:2003) as "Commissioner-cum-Secretary to Government", with immediate effect.

Order

No. 6/11/2010-PER (part)/447

The Government appoints the following officers mentioned in column (2) below as Nodal Officers in the Office of the Chief Electoral Officer with immediate effect for performing various activities at State and District level in connection with Bye-Election to 1-Mandrem & 22-Shiroda ACs and ensuring General Elections to Lok Sabha, 2019. The Officers shall continue to hold their respective charges alongwith the additional charge of Nodal Officers till the election dates are announced and thereafter shall perform the duties as Nodal Officers on full fledged basis.

The officers shown in column (3) shall hold charge of the posts held by the officers mentioned in column (2) during their tenure as Nodal Officers in the office of the Chief Electoral Officer from the date of declaration of elections:

Sl.No.	Name of the Nodal Officer	Officer to hold the additional charge
1	2	3
1.	Shri Brijesh Manerkar, Project Director, DRDA, North	Shri Pravin Barad, Director (Admn.), Kala Academy.

The above officer shall continue to hold the charge of departments as per order read in the preamble.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 6th February, 2019.

Order

No. 7/50/2014-PER/462

Shri Santosh Kumar, IFS, Additional Principal Chief Conservator of Forests & Chief Wildlife Warden shall hold the charge of the post of Managing Director, Goa Forest Development Corporation Ltd., Panaji-Goa in addition to his own duties in public interest, with immediate effect.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 7th February, 2019.

Order

No. 6/3/2002-PER (Vol.II)/474

Read: Order No. 6/3/2002-PER/(Vol.I)/280 dated 23-01-2019.

Sanction of the Competent Authority is accorded for drawing salary of Shri Prashant Shirodkar, Custodian of Evacuee Properties, against the post of Leave & Training Reserve from 9-12-2016, until further orders.

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 7th February, 2019.

Order

No. 6/11/2010-PER (part)/447

1	2	3
2.	Shri Tushar Halarnkar 1) Deputy Director (Admn.), AH & VS 2) Deputy Collector, North-1	Shri Shankar Gaonkar, Under Secretary (Revenue-II). Shri Pundalik Khorjuvekar, Deputy Director (Panchayat), North.
3.	Shri Amul Gaonkar 1) Deputy Director (Admn.), Transport 2) Deputy Director (Admn.), Printing & Stationery	Smt. Nathine Araujo, Deputy Director (Vigilance). Smt. Fransquinha Oliveira, Deputy Director (Admn.), Agriculture.
4.	Shri Eshant Sawant, Mamlatdar in Collectorate-II (South)	Shri Jeetendra Bugde, Mamlatdar in Collectorate (South).
5.	Smt. Isha Sawant, Jt. Mamlatdar (III), Bicholim	Smt. Apurva Karpe, Jt. Mamlatdar (II), Bicholim.

The Nodal Officers are appointed as per the proposal received from the office of the CEO.

The officers shall continue to draw the salary from the post held by them as indicated in column (2) during their tenure as Nodal Officers.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 6th February, 2019.



Department of Public Health

Order

No. 11/3/89-IV/PHD/5/PART I/4988

Read: Memorandum No. 11/3/89-IV/PHD/5/PART I/4702 dated 08-01-2019.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/14(4)/2017/302 dated 21-12-2018, Government is pleased to appoint Dr. Pooja Narendra Mandrekar to the post of Lecturer in Department of Oral & Maxillofacial Surgery (Group "A" Gazetted) in Level-10 of Pay Matrix (pre-revised Pay Band-3 of Rs. 15,600-39,100 with Rs. 5400 Grade Pay) under Goa Dental College & Hospital with immediate effect as per the terms and conditions contained in the Memorandum cited above.

Dr. Pooja Narendra Mandrekar shall be on probation for a period of one year.

Dr. Pooja Narendra Mandrekar has been declared medically fit by the Medical Board. Her appointment is made subject to the verification of their character and antecedents. In the event of any adverse matter noticed by the Government on verification of character and antecedents, her services shall be terminated.

The above appointment is made against the vacancy occurred due to promotion of Dr. Omkar Shetye, Lecturer to the post of Assistant Professor in the Department of Oral & Maxillofacial Surgery, Goa Dental College & Hospital vide Order No. 11/3/89-IV/PHD/5/Part I dated 14-12-2016 and subsequently revived vide Order No. 4/1/2018-IV/PHD/4936 dated 25-01-2019.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health-I).

Porvorim, 04th February, 2019.

Order

No. 4/14/2002-II/PHD/5019

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(1)/2016/361 dated 24-01-2019, Government is pleased to promote Dr. Jude Rodrigues, Associate Professor to the post of Professor in the Department of Surgery in Goa Medical College and Hospital, Bambolim on regular basis in the Level 13 of Pay Matrix of 7th Pay Commission and other allowances to be fixed as per rules with immediate effect.

The promotion is made against the vacancy occurred due to retirement of Dr. Dilip Amonkar, Professor w.e.f. 01-01-2019 who was on extension in service beyond superannuation.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Order

No. 4/14/2002-II/PHD/5020

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(2)/98/362 dated 24-01-2019, Government is pleased to promote Dr. Prasant Lawande, Assistant Professor to the post of Associate Professor in the Department of Surgery in Goa Medical College and Hospital, Bambolim on regular basis in the Level 11 of Pay Matrix of 7th Pay Commission and other allowances to be fixed as per rules with immediate effect.

The promotion is made against the vacancy occurred due to promotion of Dr. Jude Rodrigues, Associate Professor to the post of Professor vide Order No. 4/14/2002-II/PHD dated 07-02-2019.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Order

No. 4/3/2007-II/PHD/5026

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(1)/08/363 dated 24-01-2019, Government is pleased to promote Shri Gokuldas Parab, Medico Social Worker to the post of Health Educator (Group "B" Gazetted) in the Department of PSM in Goa Medical College and Hospital, Bambolim on regular basis in the Level 6 of 7th Pay Commission and other allowances to be fixed as per rules with immediate effect.

Shri Gokuldas Parab, Health Educator shall be on probation for a period of two years with effect from the date of joining.

The promotion is made against the vacancy occurred due to retirement of Shri Michel Almeida, Health Educator, Goa Medical College on attaining the age of superannuation w.e.f. 31-07-2018

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Order

No. 4/20/2002-II/PHD/RF/5027

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(1)/2019/356 dated 22-01-2019, Government is pleased to promote Dr. Jano Zore, Lecturer to the post of Assistant Professor in the Department of Biochemistry in Goa Medical College & Hospital, Bambolim on regular basis in the Level 11 of Pay Matrix and other allowances to be fixed as per rules with immediate effect.

The promotion is made against the vacancy occurred due to promotion of Dr. Carlos Noel Menezes, Assistant Professor to the post of Associate Professor in the Department of Biochemistry vide Order No. 4/20/2002-II/PHD/PF dated 21-11-2018.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Order

No. 4/14/2003-II/PHD/Vol.XIV/5028

On the recommendation of Goa Public Service Commission conveyed vide their letter No. COM/II/12/30(1)/2019/356 dated 22-01-2019, the Government is pleased to declare the following doctors of the Department of Paediatrics, Goa Medical College as having satisfactorily completed their probation period of two years with effect from the date mentioned against each of them, and to confirm them in the post of Lecturer, Department of Paediatrics in Goa Medical College, Bambolim, with effect from the date of completion of their probation period:—

Sr. No.	Name of Doctors & designation	Date of completion of probation period	Post against which confirmed
1.	Dr. Lorraine Artimisia Costa Fernandes D'Sa, Lecturer	05-01-2018	Lecturer.
2.	Dr. Divya Atri Saraswat, Lecturer	07-01-2018	Lecturer.
3.	Dr. Anagha Avinash Dubhashi, Lecturer	05-01-2018	Lecturer.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Order

No. 4/14/2003-II/PHD/Vol.X/5029

On the recommendation of Goa Public Service Commission conveyed vide their letter No. COM/II/12/30(14)/2007/355 dated 22-01-2019, the Government is pleased to declare Dr. Lavita D'Costa, Assistant Lecturer, Department of Biochemistry, Goa Medical College as having satisfactorily completed her probation period of two years w.e.f. 08-07-2016 to 07-07-2018, and to confirm her in the post of Assistant Lecturer, Department of Biochemistry in Goa Medical College, Bambolim, with effect from the date of completion of her probation period.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 07th February, 2019.

Notification

No. 9/1/2018-III/PHD/4978

In exercise of the powers conferred by Rule 7 of the Mental Healthcare (State Mental Health Authority) Rules, 2018, the Government of Goa hereby constitute Selection Committee for nominating non-official members of Goa State Mental Health Authority, consisting of the following members:-

- 1) Principal Secretary/Secretary — Chairman. (Health)
- 2) The Director of Health Services — Member.
- 3) Professor & Head of Department — Member. of Psychiatry, Institute of Psychiatry & Human Behaviour

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health-I).

Porvorim, 5th February, 2019.

Corrigendum

No. 22/6/98-I/PHD/PF-II/379

Read: 1) Government Order No. 22/6/98-I/PHD/PF II/2586 dated 09-11-2018.

2) Government Order No. 21/8/2017-I/PHD/07 dated 27-12-2018.

In the Government order read at preamble (1), the name of doctor appearing as "Dr. Lorna Vaz" shall be corrected to read as under:-

"Dr. Lorna Audrey Maria Fernandez".

Rest of the content remains unchanged.

The corrigendum read at preamble (2) shall be treated as "cancelled".

Maria Seomara De Souza, Under Secretary (Health-II).

Porvorim, 1st February, 2019.

**Department of Transport**

Directorate of Transport

Order

No. D.Tpt/EST/2450/2019/542

On the recommendation of the Goa Public Service Commission, Panaji as conveyed vide letter No. COM/II/12/49(1)/2006/346 dated 21-01-2019, Government is pleased to declare the satisfactory completion of the probation period in respect of the following Officers in the post of Assistant Director of Transport (Group 'B' Gazetted) with effect from the date of completion of probation period as hereunder:-

Sr. No.	Name of the Assistant Director of Transport	Date of regular promotion as Assistant Director of Transport	Date of completion of probation period
1	2	3	4
1.	Shri Meghashyam Pilankar	28-07-2015	27-07-2017.
2.	Shri Ramkrishna @ Rajesh B. Naik	28-07-2015	27-07-2017.

By order and in the name of the Governor of Goa.

Nikhil Desai, Director & ex officio Addl. Secretary (Transport).

Panaji, 30th January, 2019.

Order

No. D.Tpt/EST/285-IV/2019/621

On the recommendation of the Goa Public Service Commission, Panaji conveyed vide their letter No. COM/II/11/49(1)/2015/347 dated 21-01-2019, the Government is pleased to promote Shri Vinod R. Arlekar (S.C.), Motor Vehicles Inspector to the post of Assistant Director of Transport (Group 'B' Gazetted) on regular basis in the Pay Band of Rs. 9,300-34,800 & Level 7 of Pay Matrix with immediate effect and post him as Assistant Director of Transport, Enf., South, Margao-Goa.

The said Officer shall be on probation for a period of two years.

By order and in the name of the Governor of Goa.

Nikhil Desai, Director & ex officio Addl. Secretary (Transport).

Panaji, 5th February, 2019.

Order

No. D.Tpt/EST/285-IV/2019/622

On the recommendation of the Goa Public Service Commission, Panaji conveyed vide their letter No. COM/II/11/49(1)/2015/347 dated 21-01-2019, the Government is pleased to promote Shri Rajesh G. Naik, Motor Vehicles Inspector to the post of Assistant Director of Transport (Group 'B' Gazetted) on officiating basis in the Pay Band of Rs. 9,300-34,800 & Level 7 of Pay Matrix with immediate effect until further orders or till the post is filled on regular basis whichever is earlier and post him as Assistant Director of Transport, Dharbandora-Goa.

Shri Balchandra A. Sawant, Assistant Director of Transport, Ponda who vide Order No. D.Tpt/EST/285-IV/2018/2181 dated 13-04-2018 was directed to hold additional charge as Assistant Director of Transport, Dharbandora is hereby relieved of the said additional charge.

By order and in the name of the Governor of Goa.

Nikhil Desai, Director & ex officio Addl. Secretary (Transport).

Panaji, 5th February, 2019.

Order

No. 5/2/93-Tpt/P.F/2019/623

Consequent upon the promotion of one Assistant Director of Transport (Group 'B' Gazetted) on regular basis, the following Assistant Director of Transport is hereby transferred on administrative grounds and in public interest with immediate effect:-

Sr. No.	Name of the Assistant Director of Transport	Present Posting	Proposed posting on transfer
1. Shri Pralhad Desai		A.D.T., Enf., South, Margao	A.D.T., Enf., North, Panaji.

The above Assistant Director of Transport is hereby directed to join the new place of posting immediately and complete handing over/taking over formalities accordingly. He shall not avail joining period or any type of leave till he assumes charge at the new place of posting.

Shri Nandakishor Arolkar who on promotion to the post of Deputy Director of Transport was directed to continue holding the charge of Assistant Director of Transport, Enf., North, Panaji vide Order No. D.Tpt/EST/10/2018/6380 dated 31-12-2018 is hereby relieved of the said charge.

By order and in the name of the Governor of Goa.

Nikhil Desai, Director & ex officio Addl. Secretary (Transport).

Panaji, 5th February, 2019.



Department of Urban Development

Order

No. 10/0204/2012-DMA (Part)/3343

In exercise of the powers conferred by the third proviso to sub-section (1) of Section 20 of the Real Estate (Regulation and Development) Act, 2016 No. 16 of 2016 and in supersession of the Government Order No. 10/204/2012-DMA/Part/600 dated 25-05-2017, published in the Official Gazette, Series II No. 9 dated 01-06-2017, the Government of Goa hereby designates the Secretary (Urban Development) to the Government of Goa as the Regulatory Authority for the purpose of the said Act.

This Order shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

R. Menaka, IAS, Director & ex officio Addl. Secretary (Municipal Administration/Urban Development).

Panaji, 6th February, 2019.

Municipal Administration

—
Order

No. 1/03/DMA/Admn/RTI/3356

Read: Order No. 1/03/DMA/Admn/RTI/255 dated 30-4-2015.

In partial modification to the above referred order, the Government has approved the appointment of the following official of the Margao Municipal Council in the State of Goa under the Right to Information Act, 2005 to act as Official under sub-section (2) of Section 5 of the Right to Information Act, 2005:-

Sr. No.	Name of the official	Designation	Office Telephone Number
1.	Municipal Engineer Grade-II	Public Information Officer	2715175/76

The Public Information Officer is responsible for maintaining and updating all required information and also receiving and disposing off applications under Right to Information Act, 2005.

R. Menaka, IAS, Director (Urban Development).

Panaji, 6th February, 2019.

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